IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

RFA. No. 314 of 2003

OS. 158/2000 of ADDL. SUB COURT, NORTH PARAVUR
.....

APPELLANTS/PLAINTIFFS:
----

1. **AHMED, AGED 57 YEARS, AGRICULTURIST, S/O. IBRAHIM, THAIPARAMBIL, RESIDING AT MARATTU-PARAMBIL,THOTTAKKATTUKARA, ALUVA WEST VILLAGE, ALUVA TALUK, REP.BY HIS POWER OF ATTORNEY HOLDER, ABDUL SALAM,S/O.MOHAMMED,KALATHIL NADUVILE PARAMBIL, VELIYATHUNADU KARA,ALUVA WEST VILLAGE, ALUVA TALUK.**

2. **ABDUL SALAM, AGED 40 YEARS, BUSINESS, S/O. MOHAMMED, KALATHIL NADUVILEPARAMBIL VELIYATHUNADU KARA, ALUVA WEST VILLAGE, ALUVA TALUK.**

BY ADV. SRI.P.K.ABOOBACKER(EDAPPALLY)

RESPONDENTS/DEFENDANTS:
----

1. **PATHUMMA @ PARIYATHUMMA, AGED 50 YEARS, D/O. ATHRUMAN, KATTIPARAMBIL, RESIDING AT MATTARAKATHOOTTU, THOTTAKKATTU KARA, ALUVA WEST VILLAGE, ALUVA TALUK.**

2. **MUHAMMED KUNJU, AGED ABOUT 35 YEARS, S/O. PATHUMMA, @ PARIYATHUMMA, RESIDING AT MATTARAKATHOTTU, THOTTAKKATTU KARA, ALUVA WEST VILLAGE, ALUVA TALUK.**

BY ADV. SRI. V.K. VEERAVUNNY

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & T.R. RAMACHANDRAN NAIR, JJ.

R.F.A. NO. 314 OF 2003

Dated this the 23rd day of July, 2007.

J U D G M E N T

Kurian Joseph, J.

In view of the terms of compromise as recorded in I.A. No. 2533/2007, this appeal is disposed of making it clear that the application shall form part of the decree. One-half of the court fee shall be refunded to the appellants. In view of the terms as above, interim order of injunction granted in I.A. No. 1833/2003 is vacated and the application is dismissed.

KURIAN JOSEPH
JUDGE

T.R. RAMACHANDRAN NAIR
JUDGE

smp